



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

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REGION 10  
REGIONAL DIRECTOR

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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

New York State Department of Transportation  
Region 10  
State Office Building  
250 Veteran Memorial Highway  
Hauppauge, New York 11788

Attn: Subimal Chakraborti, Regional Director

Re: Old Roosevelt Field Contaminated Groundwater Area; Garden  
City, Nassau County, New York

Request for Information Pursuant to Comprehensive  
Environmental Response, Compensation, and Liability Act,  
42 U.S.C. §§ 9601-9675

Dear Sir:

The U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the federal "Superfund" law (the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. §§ 9601-9675).

EPA has documented the release and threatened release of hazardous substances into the environment at the Old Roosevelt Field Contaminated Groundwater Superfund Site (the "Site"), located in Garden City, New York. On or about May 11, 2000, EPA included the Site on the National Priorities List, which was established pursuant to Section 105(a)(8)(B) of CERCLA, 42 U.S.C. § 9605(a)(8)(B).

EPA completed its Remedial Investigation/ Feasibility Study ("RI/FS") at the Site, which defined the nature of the contaminants present at the Site including, but not limited to, trichloroethylene ("TCE") and tetrachloroethylene ("PCE"). The

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RI/FS also evaluated appropriate remedial alternatives to address the contamination at the Site. From those alternatives, and pursuant to the guidelines established in CERCLA and the National Contingency Plan, 40 C.F.R. Part 300, on September 28, 2007, EPA issued a Record of Decision ("ROD"), which provided for the following: (1) a pre-design investigation to collect information for the design of the remedial action; (2) the creation of a preliminary three-dimensional groundwater model to update the contaminant plume maps; (3) the installation of a groundwater extraction well(s) downgradient of the area containing the highest levels of groundwater contamination to treat the contaminated plume; (4) Ex-Situ treatment of the groundwater using a low profile air stripper to remove the volatile organic compound ("VOC") contaminants from the groundwater; (5) discharge of the treated groundwater to the local Nassau County recharge basin; (6) evaluation of, and future upgrading of, if necessary, the wellhead treatment system at two nearby Village of Garden City ("Village") supply wells which have been impacted by the Site-related contamination; (7) a future vapor intrusion investigation to determine if Site-related vapors are migrating into commercial buildings at the Site, and mitigation, as necessary, to address such migration; (8) institutional controls that will restrict future use of the groundwater at the Site; (9) development of a Site Management Plan for the proper management of all Site remedial components after construction of the groundwater treatment remedy; (10) long-term monitoring of Site groundwater to evaluate changes in the contaminant plume over time and to ensure achievement of groundwater standards; and (11) in the event that the two Village supply wells are taken out of service permanently or are operated at a significant reduction of their current pumping rates, a contingency plan would be implemented to capture and treat the contaminant plume in that area.

This letter seeks your cooperation in providing information and documents relating to the Site. A complete and truthful response to the enclosed Request for Information should be submitted to EPA within thirty (30) days of your receipt of this letter.

Under Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), EPA has broad information-gathering authority which allows EPA to require persons to provide information or documents relating to the materials generated, treated, stored or disposed of at or transported to a facility, the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility, and the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, your compliance with the Request for Information is required by law. When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return that Certification to EPA along with your response. Please note that false, fictitious or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5), authorizes EPA to pursue penalties for failure to comply with requests for information.

It is possible that some of the information EPA is requesting may be considered by you to be confidential business information. Please be aware that you may not withhold the information on that basis. If you wish EPA to treat all or part of the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions included in the enclosed Request for Information, including the requirement of supporting your claim of confidentiality.

If you have information about other parties who may have information which may assist EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted to EPA within the timeframe noted above.

Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by our information request, it is necessary that you promptly notify EPA.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501-3520.

Your response to this Request for Information should be mailed to the following:

Elizabeth Leilani Davis  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007-1866

With a copy to:

Caroline Kwan  
Remedial Project Manager  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007-1866

If you have any questions regarding this Request for Information or would like to discuss this matter with EPA, you may call Ms. Davis at (212) 637-3249.

We appreciate your attention to this matter.

Sincerely yours,



Raymond Basso  
Strategic Integration Manager  
Emergency and Remedial Response Division

Enclosures

cc: Bruce D. Feldman, Chief Counsel  
NYSDOT, Legal Services Division

## INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

### A. Directions

1. A complete response must be made to each individual question in this Request for Information. Precede each answer with the number of the question to which it is addressed.
2. In preparing your response to each question, consult with all persons, including present and former employees and agents, whom you have reason to believe may be familiar with the matter to which the question pertains.
3. In answering each question, identify all contributing sources of information.
4. If you have reason to believe that another individual may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
5. If you are unable to give a detailed and complete answer or to provide any of the information or documents requested, please state the reason for your inability to answer or provide documents. In any such instance please approximate. If a document is not available, state the reason for its unavailability. To the best of your ability identify the document by author, date, subject matter, number of pages, and all recipients of the document with their addresses.
6. For each document produced in response to the Request for Information, indicate on the document, or in some other reasonable manner, the question to which it applies.
7. If anything is omitted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the omission.
8. For each document that is classified and requires security clearance, specifically identify each document and it's classification in lieu of producing the document.

9. All verbs shall be construed to include all tenses.
10. References to the singular shall be construed to include the plural, and references to the plural shall be construed to include the singular.
11. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.

#### B. Definitions

1. As used herein, the term "Site" shall refer to the Old Roosevelt Field Contaminated Groundwater Site located in Garden City, New York, in the vicinity of the intersection of Clinton Road and Old Country Road. The Site includes the former airfield known as Roosevelt Field.
2. As used herein, the term "hazardous substance" shall have the meaning set forth in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14). The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 CFR Part 302.
3. As used herein, the terms "hazardous waste," "disposal" and "storage" shall have the meanings set forth in Sections 1004(3), (5) and (33) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6903(3), (5) and (33), respectively.
4. As used herein, the term "industrial waste" shall mean any solid, liquid or sludge or any mixture thereof which possesses any of the following characteristics:
  - a. it contains one or more "hazardous substances" (at any concentration) as defined in 42 U.S.C. § 9601(14);
  - b. it is a "hazardous waste" as defined in 42 U.S.C. § 6903(5);
  - c. it has a pH less than 2.0 or greater than 12.5;
  - d. it reacts violently when mixed with water;
  - e. it generates toxic gases when mixed with water;
  - f. it easily ignites or explodes;
  - g. it is an industrial waste product;

- h. it is an industrial treatment plant sludge or supernatant;
  - i. it is an industrial byproduct having some market value;
  - j. it is coolant water or blowdown waste from a coolant system;
  - k. it is a spent product which could be reused after rehabilitation; or
  - l. it is any material which you have reason to believe would be toxic if either ingested, inhaled or placed in contact with your skin.
5. As used herein, the term "release" shall have the meaning set forth in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).
6. As used herein, the term "Department" refers not only to the Department of Transportation as it is currently named and constituted, but also includes all predecessors in interest as well as all divisions and branches of the Department or its predecessors.
7. As used herein, "Roosevelt Field" shall mean the approximately 900-acre former airfield known as Roosevelt Field, including its hangars, runways, buildings and other improvements.
8. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions apply.
9. The term "identify" with respect to a natural person means to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position, or business.
10. The term "identify" with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) means to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.

### REQUEST FOR INFORMATION

1. State the correct legal name and mailing address of the Department and its agent for service of process in New York.
2. Identify the name(s) and address(es) of the Commissioner, Chairman, or other presiding officer of the Department.
3. Please provide copies of all leases, contracts, etc., entered into by the Department with respect to Roosevelt Field.
4. Did the Department acquire any property in connection with the construction of the Meadowbrook Parkway? If so, provide copies of all deeds, easements, and other documents pertaining to the transfer of property for the Meadowbrook Parkway.
5. Please describe in detail the nature and extent of all activities conducted by the Department at Roosevelt Field from 1950 to the present. As part of your answer to this question, also identify the types of materials used (including hazardous substances as defined above), and what hazardous wastes or industrial wastes were generated during and after such activities. In addition, please describe how and where all wastes were disposed of throughout the period of operations.
6. Please provide all detailed plans, maps, drawings, photographs, or other renderings of the Roosevelt Field, which identify, among other things, surface structures (e.g., hangars, buildings, aboveground tanks, etc.), the interior layout of any of the hangars or buildings, as well as subsurface features of any building, hangar or surface structure occupied or utilized by the Department at Roosevelt Field.
7. Identify all leaks, spills, discharges or releases into the environment of any hazardous substances, hazardous wastes, industrial wastes, pollutants, or contaminants, at or from Roosevelt Field during any activities conducted by the Department at Roosevelt Field. In responding to this question, please provide the following information:
  - a. When such releases occurred;
  - b. How the releases occurred;
  - c. The amount of each hazardous substance, waste, industrial waste, pollutant, or contaminant released;



- d. Where such releases occurred;
  - e. Any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
  - f. Government authorities, if any, that were notified and any penalties that may have been assessed resulting from such release;
  - g. Any and all investigations of the nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken; and
  - h. All persons with information relating to these releases.
8. Is the Department aware of the storage, use, disposal, and/or discovery of trichloroethylene ("TCE") or tetrachloroethylene ("PCE") during the construction of the Meadowbrook Parkway? If so, please describe the nature and purpose(s) of such storage, usage, and/or disposal, and any documents that relate to such storage, use, disposal, and/or discovery.
9. Do you have any additional information or documents which may help EPA identify other individuals or entities which owned or operated at Roosevelt Field or any other facility at the Site, generally, at the time of disposal of any hazardous substances or who arranged for the treatment, or disposal of hazardous substances, hazardous wastes or industrial wastes at the Site? If so, please provide that information and those documents, and identify the source(s) of your information.
10. Identify each person answering this Request for Information and state whether such person has personal knowledge of the answers. In addition, identify each person who assisted or was consulted in the preparation of the response to this Request for Information.